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Attorneys for Plaintiff
United States of America

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

SCOTT SWEED,

Defendant.

CASE NO. 2:20-CR-00087-WBS

STIPULATION REGARDING EXCLUDABLE
TIME PERIODS UNDER SPEEDY TRIAL ACT;
FINDINGS AND ORDER

DATE: October 26, 2020

TIME: 9:00 a.m.

COURT: Hon. William B. Shubb

STIPULATION

Plaintiff United States of America, by and through its counsel of record, and defendant, by and through defendant's counsel of record, hereby stipulate as follows:

1. By previous order, this matter was set for status on October 26, 2020.

2. By this stipulation, defendant now moves to continue the status conference until December 7, 2020, and to exclude time between October 26, 2020, and December 7, 2020, under Local Code T4.

3. The parties agree and stipulate, and request that the Court find the following:

a) The government has represented that the discovery associated with this case includes multiple reports and several hundred photographs. Additional discovery in the form of an audio recording was received by the government last week (the week of October 19, 2020), and will be produced to the defendant or made available for inspection.

1 b) Counsel for defendant desires additional time to review the evidence, conduct
2 independent factual investigation, and otherwise prepare for trial.

3 c) Counsel for defendant believes that failure to grant the above-requested
4 continuance would deny him/her the reasonable time necessary for effective preparation, taking
5 into account the exercise of due diligence.

6 d) The government does not object to the continuance.

7 e) Based on the above-stated findings, the ends of justice served by continuing the
8 case as requested outweigh the interest of the public and the defendant in a trial within the
9 original date prescribed by the Speedy Trial Act.

10 f) For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161,
11 et seq., within which trial must commence, the time period of October 26, 2020 to December 7,
12 2020, inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv) [Local Code
13 T4] because it results from a continuance granted by the Court at defendant's request on the basis
14 of the Court's finding that the ends of justice served by taking such action outweigh the best
15 interest of the public and the defendant in a speedy trial.

16 **[CONTINUED ON NEXT PAGE]**

4. Nothing in this stipulation and order shall preclude a finding that other provisions of the Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial must commence.

IT IS SO STIPULATED.

Dated: October 27, 2020

MC GREGOR W. SCOTT
United States Attorney

/s/ CAMERON L. DESMOND
CAMERON L. DESMOND
Assistant United States Attorney

Dated: October 27, 2020

/s/ Mark Reichel
Mark Reichel
Counsel for Defendant
SCOTT SWEED

FINDINGS AND ORDER

IT IS SO FOUND AND ORDERED.

Dated: October 28, 2020

William B. Shubb
WILLIAM B. SHUBB
UNITED STATES DISTRICT JUDGE